

From: CHancuff@aol.com
 To: joel.peck@scc.virginia.gov, rdoggett@oag.state.va.us, jean.kiddoo@bingham.com, ferenchak@bingham.com, bmutschelknaus@kelleydrye.com, mconway@kelleydrye.com, Latonya.Ruth@bingham.com, christopher.muller@paetec.com, peter.connoy@paetec.com, mcvp@mcventurepartners.com, jsnyder@cavtel.com, femccomb@cavtel.com, dbottoms@cavtel.com
 CC: rkirsch@healthcareforamericanow.org, info@healthcareforamericanow.org, agoldstein@healthcareforamericanow.org, dwhelan@forbes.com, scoop@huffingtonpost.com, pwalsh@13wham.com, news@13wham.com, news-tips@nytimes.com, national@washpost.com, vcm@cnn.com, bjohns@virginia-organizing.org, blust@virginia-organizing.org, editor@prwatch.org
 Sent: 10/23/2010 10:21:25 A.M. Eastern Daylight Time
 Subj: Subj: PAETEC Filing

From: Latonya.Ruth@bingham.com
 To: chancuff@aol.com
 Sent: 10/22/2010 3:59:00 P.M. Eastern Daylight Time
 Subj: PAETEC Filing

Dear Mr. Hancuff:

Attached is a courtesy copy of a letter that was filed at the Virginia Corporation Commission on Friday, October 22, a copy of which was sent to you by U.S. Mail at xxx xx xxxx, xxxxxxxx, VA xxxxx. Thank you.

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Re: Cavalier/PAETEC SCC Regulatory Approval Application No. PUC-2010-00059

Dear Ms. Ruth et al,

I am amused at the number of emails I received from involved parties withheld until late on a Friday afternoon. Your law firm is one of several who have utilized this tactic. Like your previous email that I advised you about, my security software will not approve of downloading this attachment, but I thank you for thinking of me.

As a courtesy, please be advised that I have been in touch with Virginia's State Corporation Commission subsequent to Cavalier fraudulently denied me my COBRA benefits well over a year ago. The SCC has been helpful in advising me how to track what any child could figure would happen next. I'll explain:

I couldn't make any sense of Cavalier's willful and malicious denial of my COBRA entitlement and subsequent penalties for failure to disclose documents surrounding the denial of benefits **as required by ERISA Code** and the resultant \$110/day fine per request **as specified by ERISA Code**, that now may be over \$2,000,000.

The only thing that made sense of Cavalier's blatant contempt for federal law was for me to surmise that Cavalier had plans to sell, as a method of dodging their responsibilities. When one has an escape plan, one does not worry about a debt that accrues by the day. Deadbeats abandoning their rental apartments in the middle of the night is an event that occurs hundreds of times each night across our country.

In short, only a dolt couldn't figure out a year ago that Cavalier was posturing themselves for sale. When Cavalier spun off Intellifiber as a separate entity to hold all Cavalier's tangible assets ... well, any high school kid could have known it was a red flag that all but guaranteed it was only a matter of time before Cavalier would announce their sale.

Ms. Ruth, you may ask the folks at Cavalier about an email I sent to the Public Relations firm Cavalier hired to manage Intellifiber's press, shortly after Cavalier created Intellifiber. Both Cavalier and Intellifiber are quite aware of my knowledge of Cavalier's asset protecting positioning that Intellifiber provided them. As both Cavalier and PAETEC know, initially PAETEC wanted to by Intellifiber, only.

Of course PAETEC only wanted Cavalier's tangible assets. Any sensible business man would chose this for themselves. I could forward a copy of this email notice to Cavalier, Intellifiber, and their PR firm, but I have no motivation for doing so. Ask Jeff Snyder or Francis McComb, or Danny Bottoms. Any of them can forward their copies of this email to PAETEC, and your law firm.

Once again, Ms. Ruth, please be advised that Jeff Snyder and Francis McComb, as well as a host of others on Cavalier's side of this business deal are a whole lot more devious than PAETEC could have ever imagined. Bingham McCutchen, as PAETEC's regulatory counsel, may have interest in informing the principles at PAETEC, **and their investors**, that the issues present here are beyond regulatory in nature and perhaps PAETEC, and their investors, would like to launch separate independent investigations of their own.

I'm still taken aback at the revelation that PAETEC actually signed on to share responsibility for Cavalier's egregious and malicious violations of law designed to end my life, by filing jointly at the FCC regarding Case # 10-192.

FWIW, it seems extremely unlikely there will be anything contained in this PAETEC FILING you've attached to this email that I don't already know. What Cavalier and PAETEC could never estimate for the SCC is what a mediator or jury would award in punitive and compensatory damages, not to mention the 142 hours of vacation time Cavalier still withholds from me.

Until punitive damages are awarded there is no way of knowing if the SCC should be concerned. I don't know if your law firm knows this, but I've been told by the SCC that the SCC is only concerned with issues that affect consumer rates.

In addition, what PAETEC and Cavalier cannot estimate can be a far larger dollar amount --- the legal costs and punitive and compensatory awards that may be granted to both PAETEC and Cavalier investors for the issues created by both here. With the potential of hundreds of millions in added liability, and potentially a billion dollars, or more, in compensatory damages that can be awarded PAETEC's and Cavalier's investors, PAETEC is hardly in the position to suggest to The Virginia Corporation Commission that no risk to consumer telephone rates for Virginians are involved ... until the issues willfully and maliciously created jointly by PAETEC and Cavalier for their investors, and me, are settled responsibly.

Both PAETEC and Cavalier will find me rather reasonable when it comes to my reaction to Cavalier and PAETEC functionally sentencing me to death, in service of their narcissistic greed --- especially in comparison to the upset their respective investors are likely to express if both companies chose to continue to behave with a bravado designed to obfuscate their recklessly irresponsibility.

I will find it reassuring that The Virginia State Corporation Commission will act responsibly on behalf of myself and all Virginians to insure that our telephone rates will not be adversely affected, by withholding regulatory approval of this sale until such a time that principles of both PAETEC and Cavalier can guarantee in writing with signatures, created jointly, with credible substantiation presented in plain language that all Virginians can find reassurance from, then submitted as a single filing to the SCC, that no risk to Virginia consumers regarding the pricing of their telephone services exists, without regard for any amount of dollar losses that may result from civil litigation from any source.

I've included Mr. Joel Peck, Clerk of The Virginia State Corporation Commission as a recipient of this email, as well as Mr. Doggett of Virginia's Office of Attorney General, due to the time sensitivity of these matters. I will file a copy of this email as my third comment to the Public Comments section of the SCC as well.

Mr. Peck and Mr. Doggett, I respectfully I ask that the SCC to make this Public Comment section visible to the public. As a Virginia consumer I find it important that all Virginians be provided the ability observe these proceedings, as their telephone rates will likely be affected. I also ask the SSC to provide Virginians by way of simple access the ability post their own Public Comments as all Virginia consumers have their telephone rates potentially at risk.

By way of example the Federal Communications Commission "Public Comments" require no submission of a written and signed form approved by the FCC prior to granting public access to posting to their Public Comment, as the SCC currently does. The only reason I am able to post this as a SCC public comment is due to my submission and approval of the Commonwealth of Virginia State Corporation Commission Electronic Document Filing Authorization Form on October 14, 2010. Given that the SCC has not made this available to the public previously, it seems reasonable that a new comment period be assigned to this application for regulatory approval.

I will also, under separate cover, file this email to the Public Comments section of Cavalier and PAETEC's application for regulatory approval from the Federal Communications Commission, FCC Case # 10-192.

Mr. Peck and Mr. Doggett, please understand that I know that regulatory approval of this sale, meeting the last

requirements for completing this sale does not provide either Cavalier or PAETEC exemption from civil liability. In simple terms, what regulatory approval of this sale, completing this transaction means is a death sentence for me. Nothing would please either of these parties more than to have this matter settled years from now after dozens of lawful slow-walking tactics provide both parties the cover they need, until my terminal illness that Cavalier fired me to prevent responsibility for the cost of my medical care takes my life.

As a Virginia consumer first, and a Virginian who would like to live second, I respectfully request the SCC to honor my interest in my future telephone rates, by withholding SCC approval until all Virginians are able to weigh in with their own interest in their future telephone billing rates.

I think it likely that all here can readily understand that quite a few Virginians, as well as many other concerned consumers across our country will be quite upset if Virginians' telephone billing rates being put "at risk" is not given appropriate consideration by The Virginia State Corporation Commission by withholding their regulatory approval until Cavalier and PAETEC have fully addressed Virginia's and our country's consumer concerns.

Enjoy your weekend.

Sincerely,
Cliff Hancuff

PS: I can assure all here that Mr. Colclough is working this weekend, assuming he understands the position he has put himself in. Ask Jeff Snyder, Francis McComb or Danny Glover at Cavalier what this means. On June 29, 2010 Mr. Colclough put his stamp of approval on Tonya Lennox's June 26, 2010 ruling.

Aside from the abuse I was subjected to by Ms. Lennox during a telephone interview on June 14, 2010, **and** Ms. Lennox subsequent reckless disregard of her duty to provide me and my brother a summary, as she promised both of us she would, Ms. Lennox has added insult to injury. As of this writing Ms Lennox has refused my written request to provide me a copy of my file, as required of her under provisions of "Right to Sue", for 51 days. This has severely, **and perhaps intentionally**, hindered my ability to pursue protections provided me by federal law.

I find Mr. Colclough's email below disingenuous. The "packet" referred to is a hard copy of my appeal of Mr. Colclough's previous decision on EEOC Charge No. 438-2008-01993 I sent to him by email, along with a host of others present here, on 10/21/2010 2:18:22 P.M. Eastern Daylight Time. I find it unlikely that Mr. Colclough first became aware of my EEOC filing upon return to his office, wherever that may be, at or around 3 PM the next day. Add to this the other comments I've highlighted below and even a casual observer could conclude that Mr. Colclough is not giving the urgent time-sensitive matter he created by his previous ruling on June 29, 2010 the attention it deserves. Working a weekend is a small inconvenience when compared to the consequences of what appears to be a slow-walking of what appears to be his intent, to hinder my right to seek civil remedy in federal court, whether represented by the EEOC, or others who may prove to have a greater concern for the consequences of Cavalier terminating my employment for being diagnosed with a terminal illness.

I think it likely that the Department of Justice will take exception if Mr. Colclough has decided to attend to other any of other interests he has this weekend instead, such as advising large groups of corporate employment attorneys on what not to say to the EEOC:

<http://www.mcquirewoods.com/news-resources/item.asp?item=3117>

From: THOMAS.COLCLOUGH@EEOC.GOV
To: CHancuff@aol.com
Sent: 10/22/2010 3:05:11 P.M. Eastern Daylight Time
Subj: Re: Progress report, please.

Mr. Hancuff,

Good afternoon. Please note that Ms. Glisson is currently out of the office on leave so you can direct your inquiries to me. **I returned to my office today and received your packet.**[Emphasis Added] I will **attempt** .[Emphasis Added] to read through all of your correspondence this weekend to provide you with a response by Monday, **close of business** [Emphasis Added] I will make my response to

you via email and regular mail.

Thank you.

Tom Colcloug

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